

REMARKS

Claims 1-47 were pending in the case, prior to the instant Office Action. Claims 39-41 were withdrawn from consideration, and are cancelled in this amendment as nonelected invention, thus leaving claims 1-38 and 42-47 under prosecution. Of these, claim 43 stands allowed. Claims 1, 7, 36-38 and 42-47 are rejected. Claims 2-6 and 8-35 are objected to.

In this Amendment, claim to the priority provisional application is included. Applicants believe that this is not new matter.

In the instant Office Action, claims 36-38, 42 and 44-47 were rejected under 35 U.S.C. §112, first paragraph, for enablement reasons. These claims are now amended as kindly suggested by the Examiner. Withdrawal of the §112, first paragraph, rejection is respectfully requested.

Claims 7 and 36 were rejected under 35 U.S.C. §112, second paragraph, for certain infractions. Applicants have corrected the infractions in this amendment and cancelled the redundant claim 38. Similar typos that were present in claims 2 and 18 also stand corrected. Applicants, therefore, respectfully request withdrawal of the §112, second paragraph, rejection.

Claim 1 was rejected under 35 U.S.C. §102(e) as being anticipated by *Dressen* (U.S. 6,407,066). Claim 1 was also rejected under 35 U.S.C. §102(b) as being anticipated by *Shiba, Bull. Chem. Soc. Japan*, 41(11), 2748-53 (1968). Claim 1 was further rejected under 35 U.S.C. §102(b) as being anticipated by *Szirtes, J. Med. Chem.* 29(9), 1654-8 (1986). Applicants would like to respectfully point out that the *Dressen*, *Shiba*, and *Szirtes* references only teach compounds that are either carboxylic acid or carboxamide (for R¹). In this Amendment, Applicants have

amended the claims so that R¹ and R² are not carboxylic acid, carboxylic ester or carboxamide. Applicants, therefore, believe that all the above-noted rejections are moot now and respectfully request withdrawal of the §112, first paragraph, rejection.

There being no other rejections pending, Applicants believe that the claims, as amended, are in allowable condition and such an action is earnestly solicited. If the Examiner has any questions, the Examiner is invited to contact the undersigned.

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Respectfully submitted,



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